

To work with countries around the world on bringing them to a level of climate change comparable to the level we want to get to; one is multilateral environment and climate change agreements, negotiations, Kyoto-type agreements among all the major industrial powers in the world. That will take years. That will perhaps only be as successful as Kyoto, which wasn't very successful, ultimately.

The other path to walk down is what we do about trade legislation, about accepting those products coming into the United States from other countries. When we have pretty strong environmental laws, you know in your State what has happened with the steel industry, where they have put huge numbers of dollars into scrubbers and other kinds of environmental cleanup. China and India, frankly, don't do that. When we buy products from China and India, we buy steel from them, discounting the issue of toxic toys and contaminants in vitamins and all the unsafe products they send us that are ultimately consumer products, but when we buy steel from China and India, that steel is made by cheaper labor, and it is also made with very weak environmental rules.

The only way to change that, to get China and India to the table, if you will, if we will not do the negotiations that will be so difficult and tedious and take so long, is to say, every time we import steel from China and India, steel where there is an environmental cost in its production, we charge a tariff at the border, a tariff reflecting the cost that they have not borne but that our manufacturers bear on the production of that steel. So why should a steel company in Lorain or a foundry in Mahoning Valley have to pay these huge additional costs under climate change to deal with their carbon emissions, when people in China and India don't? The only way to equalize that and to make this competitive and keep American business competitive is to figure out what it actually costs China and what moneys China and India save by not coming up to the same level of environmental protection that we do.

That should always have been part of the trade debate. The Bush administration has never believed that. That is one of the reasons we have lost so many manufacturing jobs in my State, since President Bush took office—bad trade policy, bad environmental policy, bad labor policy.

Ultimately, this climate change issue is going to be about equalizing the cost of making air cleaner, limiting carbon emissions, dealing with all the issues around CO₂. The way to do that is through a trade policy that works for us, for China, for India, and especially works for our grandchildren, great-grandchildren, and those subsequent generations. We must work together in this institution to shape legislation that truly addresses global climate change while protecting our manufacturing jobs. That means working as-

siduously with countries around the world in reaching those goals.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, I ask to speak in morning business.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

LESSONS FROM 1787

Mr. ENSIGN. Mr. President, I rise today to address some of the critical issues this body faces at this point in history, and to reflect on why these challenges are surmountable if we focus on working together to forge ahead.

These are clearly not easy times. We are engaged in a global battle for the future of freedom. We are up against radical Islamic extremists who will do anything they can to annihilate those who do not live and believe their way.

At home, we face some daunting questions when it comes to expanding opportunity for all Americans. So do we follow a proven path of tax relief? Can we change the way we educate our children to prepare them for global competition in the 21st century? How do we provide quality health care that is accessible and affordable for all of our families? How do we secure our borders and strengthen legal immigration? Can we come together to make difficult decisions about the future of entitlements before they bankrupt this country?

Today, we face the task of funding the global war against Islamic extremists, providing our troops with the resources they need and prioritizing funding so we do not incur unnecessary debt.

Yes, these are tough questions, with serious consequences. But more than two centuries ago, a group of patriots convened to write our Constitution, and they provided the framework for the Government in which we have the honor to serve today.

They faced questions we take for granted centuries later but which could only have been resolved by incredible vision and the grace of God.

As Delegate James Wilson stated:

... we are providing a Constitution for future generations and not merely for the circumstances of the moment.

How votes would be apportioned in the Congress was one of the first and most difficult questions this convention tackled. The smaller States wanted an equal vote, and the larger States, obviously, preferred a proportional vote. Some argued that the vote in the lower House should be based on taxes paid. There were threats of breaking up

States to make them smaller and more manageable to govern. Decisions had to be made regarding the terms of Members of Congress. How would they be paid? What powers would be granted to the Government?

Remember, this was a country that had fought its way out from under the control of a powerful monarchy. The Framers of the Constitution were incredibly aware of that fact.

The Great Compromise was the measure that gave every State two Senators. But would foreigners be permitted to serve in the Congress? Where would the seat of Government be? Would officers of the Government be required to swear an oath to support the Constitution? Who would ratify the Constitution—the States or the people?

To think today about the number of decisions and compromises that were made over the course of a summer is humbling. The North Carolina delegates wrote to their Governor:

A very large Field presents to our view without a single Straight or eligible Road that has been trodden by the feet of Nations.

Yet great thought, debate, and deliberation went into every single decision. Issues were often revisited time and again before a consensus was painstakingly reached.

The Constitution was by no means thrown together quickly or haphazardly. Once decisions were ultimately made about the branches of Government and their powers, a document needed to be artfully drafted to steer the United States in 1787 as well as for generations to come. The product was nothing short of miraculous. Yet the Constitution was still not a done deal.

The Constitution and its revolutionary ideas had many supporters, but it also faced fierce opposition. It was described as “a most ridiculous piece of business” by some. Those who stood against the Constitution honed in on people's fears. After all, this was a completely experimental government with no proven model to follow. As delegate Davie of North Carolina declared: “It is much easier to alarm people than to inform them.”

Fortunately for this Nation the constitutionalists prevailed. To study the transformation of a blank slate of hopes and aspirations to a functioning Constitution that would guide a democracy for more than 200 years is awesome. There are several valuable lessons that I wish to share with my colleagues.

It is difficult to pass legislation today with a closely divided Senate. It was painfully difficult to make decisions about forming a new government and then determine and agree on what should be included in our Constitution. To make progress even more frustrating, a subject already voted on could be reconsidered again the next day and voted on again.

But these men did not let the process interfere with their progress. Their experience and their reasonableness

shined during the most difficult days. They understood if they were serious about creating this Constitution, they would have to work together and consider and respect each other's differences.

In the end, the Constitution was the work of those for it and those against it. They came to many compromises in order to make the final product that all could live with. John Adams described the Constitution as:

If not the greatest exertion of human understanding, the greatest single effort of national deliberation that the world has ever seen.

Although I serve as chairman of the National Republican Senatorial Committee, I have always prided myself on reaching across the aisle to work for the common good. For example, my home State of Nevada has greatly benefited from the work Senator REID and I have done together on several public lands bills. He brings certain people to the table who trust him; I bring others to the table who trust me. We encourage a dialogue that has resulted in crucial legislation for our State. I imagine this is the kind of give and take that made the Constitution possible.

Another important lesson from the Constitutional Convention was the understanding of the implications that our leaders' words have around the world. There were people who were completely opposed to the Constitution, but they knew how damaging their opinions could be, especially if those opinions were made overseas.

Benjamin Franklin stated:

The opinions I have had of its errors, I sacrificed to the public good. I have never whispered a syllable of them abroad. Within these walls they were born and here they shall die.

I think this is a critical flaw that is too often made in this body today. Our words have consequences. Today, it is much more difficult to contain what we say. Technology ensures that our enemies have access to the same television shows, Internet sites, and newspapers that our citizens have today. It is naive to think that a debate on the floor about retreating from Iraq has no impact on those plotting against us. It absolutely feeds into their strategy and their hope for our failure and our demise. We should all remember Benjamin Franklin's approach of working to contain our opinions that may be harmful to our Nation.

Finally, there comes a time after a contentious issue when we must come together and move forward. Abraham White, a fierce opponent to the Constitution, gave his word that he would work to convince his constituents to submit to the new law of the land and to live in peace under it.

Mr. President, 220 years ago, the States were in the midst of deciding whether they would ratify the Constitution. It was the pinnacle of a turbulent summer that left many of our delegates amazed at what they had actually achieved. George Washington called it "little short of a miracle."

The entire effort, from the first days of the convention to the parades that celebrated the United States and its Constitution, was in fact a miracle. Benjamin Rush, a Philadelphia physician who signed the Declaration of Independence, described the unparalleled emotion that was shared by all during the Philadelphia celebration of the Fourth of July—even greater than at any wartime victory. His description included the words: "We have become a Nation."

It is overwhelming to think about the work that was done hundreds of years ago so that we could continue to live and uphold the tenets of an enduring Constitution today. What a remarkable tribute to the delegates of the Convention and to the leaders whose vision led to the ratification of our Constitution.

I hope we can keep in mind the many hurdles overcome in 1787 by the Constitutional Convention and the men who were gathered there and come together in drafting a real supplemental that will fund our troops, give our military leaders the tools they need, and show the Nation we are united and that we are committed together in this global war against radical Islamic extremists. We have a tremendous legacy on which to continue building. Let's commit to doing that.

I yield the floor.

THE MERIDA INITIATIVE

Mr. LEAHY. Mr. President, the fiscal year 2008 supplemental appropriations bill provides \$450 million for the Merida Initiative, including \$350 million for Mexico and \$100 million for Central America, Haiti, and the Dominican Republic. This is the first installment of an ongoing commitment to help our neighbors to the south respond to the growing violence and corruption of heavily armed drug cartels. It represents a tenfold increase in assistance for Mexico in a single year.

The Merida Initiative is a partnership, and we recognize that achieving its goals presents an extraordinarily difficult challenge. The United States is the principal market for most of the illegal drugs coming from Mexico and Central America. We are also the source of most of the guns used by the Mexican and Central American cartels. Each country contributes to this problem, and we each have to be part of the solution.

President Calderon and President Bush deserve credit for the Merida Initiative. Better and more cooperative relations between our countries are long overdue.

It is unfortunate, however, that neither the Mexican or Central American legislatures, nor the U.S. Congress, nor representatives of civil society, had a role in shaping the Merida Initiative. There was no refinement through consultation. I first learned of it from the press, as did other Members of Congress.

As we have come to expect from this administration, the White House reached a secret agreement with foreign governments calling for hundreds of millions of U.S. taxpayer dollars, and then came to Congress demanding a blank check.

I support the goals of the Merida Initiative, and this bill provides a very generous downpayment on what I believe will be a far longer commitment than the 3-year initiative proposed by the administration. It will take longer than 1 year just to obligate and expend the \$350 million for Mexico in this supplemental bill, and the President has requested another \$477 million for Mexico in fiscal year 2009.

In addition to appropriating the funds, most of which may be obligated immediately, we require the Secretary of State to determine and report that procedures are in place and actions are taken by the Mexican and Central American governments to ensure that recipients of our aid are not involved in corruption or human rights violations, and that members of the military and police forces who commit violations are brought to justice.

This is fundamental. For years we have trained Mexican and Central American police forces, and it is well known that some of them have ended up working for the drug cartels. It is common knowledge that corruption is rampant within their law enforcement institutions—the very entities we are about to support.

It is also beyond dispute that Mexican and Central American military and police forces have a long history of human rights violations—including arbitrary arrests, torture, rape and extra-judicial killings for which they have rarely been held accountable. Examples of army and police officers who have been prosecuted and punished for these heinous crimes are few and far between. Mexican human rights defenders who criticize the military for violating human rights fear for their lives.

Some, particularly the Mexican press, argue that conditioning our aid on adherence to the rule of law is somehow an "infringement of sovereignty," "subjugation" or "meddling," or that it "sends the wrong message." I strongly disagree.

Since when is it bad policy, or an infringement of anything, to insist that American taxpayer dollars not be given to corrupt, abusive police or military forces in a country whose justice system has serious flaws and rarely punishes official misconduct? This is a partnership, not a giveaway. As one who has criticized my own government for failing to uphold U.S. and international law, as has occurred in Guantanamo, Abu Ghraib, and elsewhere, I believe it is our duty to insist on respect for fundamental principles of justice. I am confident that the Mexican and American people agree.

Mr. President, like Senators DODD, REID, MENENDEZ and many others here, both Democrats and Republicans, I